

REMARKS

Claims 11-13 are pending. Claims 11-13 have been amended. Claims 18-20 have been added. The amendments and new claims are supported in the Specification as filed at least on page 11, line 17 – page 13, line 5 and FIGS. 4-7. Claims 9-10 and 15-17 have been canceled. No new matter has been added. The rejections of the claims are respectfully traversed in light of the amendments and following remarks, and reconsideration is requested.

Rejections Under 35 U.S.C. § 102

Nulman et al.

Claims 11-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nulman et al. (U.S. Patent No. 6,289,915) (hereinafter “Nulman”).

In FIG. 1, Nulman discloses a “flange 66 for welding the roll over valve 60 to the outermost layer 24 of the fuel tank wall 12” wherein the flange 66 contains only a layer of HDPE and does not contain an acetal layer (Nulman, col.2, lines 60-62, col.3, lines 8-10; FIG. 1). In FIG. 2, Nulman discloses a “polyethylene overmolding 116” that includes “an overmolded flange portion 116a to surround the acetal portion 104” at the interface to the tank wall 12 (Nulman, col.3, lines 49-67; FIG. 2). Thus, Nulman discloses that the acetal portion, which is surrounded by the HDPE overmolding 116, does not contact the tank wall 12.

In contrast, amended Claim 11 recites “a second part made of weldable plastic material provided in a peripheral part of said component part of which said component part is welded to a part of said outer layer of said tank main body surrounding said opening, said peripheral part defining an annular abutting surface defined by said first and second parts disposed concentrically one next to the other, said second part at said abutting surface projecting slightly beyond said first part at said abutting surface and exposing said abutting surface of said first part, said exposed abutting surface of said first part contacting said outer layer of said plastic fuel tank main body when said second part is welded to said outer layer of said plastic fuel tank main body” in addition to other limitations. Thus, because Nulman does not disclose or suggest all of the elements of Claim 11, Claim 11 is patentable over Nulman.

Claims 12-13 are dependent on Claim 11 and contain additional limitations that further distinguish them from Nulman. Therefore, Claims 12-13 are allowable over Nulman for at least the same reasons provided above with respect to Claim 11.

Suzuki et al.

Claims 11-13 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,305,568 to Suzuki et al. (hereinafter "Suzuki I") or Japanese reference JP 2001-113963 to Suzuki et al. (hereinafter "Suzuki II").

Suzuki I and II disclose an auxiliary component 6 (including a fuel permeation preventing layer 8), which is welded to the tank main body 1 at a welded portion 10. However, neither Suzuki I nor II disclose or suggest a structure wherein the welded portion 10 projects slightly beyond the fuel permeation preventing layer 8 at the interface with the tank main body.

In contrast, amended Claim 11 recites "a second part made of weldable plastic material provided in a peripheral part of said component part of which said component part is welded to a part of said outer layer of said tank main body surrounding said opening, said peripheral part defining an annular abutting surface defined by said first and second parts disposed concentrically one next to the other, said second part at said abutting surface projecting slightly beyond said first part at said abutting surface" in addition to other limitations. Thus, because Suzuki I and II do not disclose or suggest all of the elements of Claim 11, Claim 11 is patentable over Suzuki I and II.

Claims 12-13 are dependent on Claim 11 and contain additional limitations that further distinguish them from Suzuki I and II. Therefore, Claims 12-13 are allowable over Suzuki I and II for at least the same reasons provided above with respect to Claim 11.

Accordingly, Applicants request that the rejections under 35 U.S.C. § 102 be withdrawn.

New Claims

Nulman discloses that an acetal layer 64, 104 is only an inner layer of the roll over valve exterior to the tank wall 12.

Suzuki I and II disclose that fuel permeation preventing layer 8 is only an inner layer of auxiliary component 6 exterior to the tank main body 1.

In contrast, new Claim 18 recites “a first part made of gasoline barrier material extending across said component part so as to substantially separate the interior and exterior of said tank main body from each other, wherein said first part is at least partially an outer layer of said component part exterior to the tank main body” in addition to other limitations. Thus, because Nulman, Suzuki I, and Suzuki II do not disclose or suggest all of the elements of Claim 18, Claim 18 is patentable over the cited references.

Claim 19 and 20 are dependent on Claims 11 and 18, respectively, and contain additional limitations that further distinguish them from Nulman, Suzuki I, and Suzuki II. Therefore, Claims 19 and 20 are allowable over the cited references for at least the same reasons provided above for Claims 11 and 18, respectively.

CONCLUSION

For the above reasons, Applicants believe pending Claims 11-13 and 18-20 are now in condition for allowance and allowance of the Application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicants' Attorney at (949) 752-7040.

Certificate of Transmission

I hereby certify that this correspondence is being electronically filed via EFS Web to the Commissioner for Patents on the date stated below.

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Respectfully submitted,

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